

**Notice of Allowability**

Application No.

10/678,832

Applicant(s)

BILLER, RICHARD L.

Examiner

Art Unit

Barbara J. Musser

1733

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview summary dated 11/10/05.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/10/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**SAM CHUAN YAO**  
**PRIMARY EXAMINER**

## **EXAMINER'S AMENDMENT**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-16, drawn to a method of embossing cards, classified in class 156, subclass 219.
  - II. Claims 17-26, drawn to an apparatus for embossing cards, classified in class 425, subclass 289.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process can be practiced with a different apparatus, such as one using an embossing roll.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Pat Arnold, Jr. on 8/31/05 a provisional election was made without traverse to prosecute the invention of group I, claims 1-16. Claims 17-26 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***Examiner's Amendment***

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Pat Arnold, Jr. on 11/10/05.

The application has been amended as follows: The claims have been amended as on the attached pages.

The title has been changed to --Method of Embossing Cards--.

6. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or fairly suggest embossing a sheet in a pattern of rows and columns wherein the same material in adjacent columns is offset so that when the cards are cut from the sheet and stacked, the static information on one card is offset from the same static information on the other card. For example, the expiration date on one card is offset from the expiration date on an adjacent card so that the cards do not nest.

While printing and embossing cards on a sheet prior to cutting them from the sheet is known(Hoffman, Cowie, Coburn, Jr.), the static information on one card is aligned with the static information on nearby cards so that when the cards are cut from the sheet and stacked, the embossed patterns line up, causing nesting.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara J. Musser whose telephone number is (571) 272-1222. The examiner can normally be reached on Monday-Thursday; alternate Fridays.

### ***Conclusion***

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dunn can be reached on (571)-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
BJM

  
**SAM CHUAN YAO**  
**PRIMARY EXAMINER**

**SUBSTITUTE CLAIMS**

Please Cancel Claims 17-26.

What is claimed is:

1. (Currently Amended) A method of making embossed cards comprising the steps of:  
printing static information on a sheet of material,  
applying a coating to said sheet,  
embossing said sheet with static information in a pattern of rows and columns, wherein embossing on adjacent columns is offset,  
cutting cards from said sheet so that each card contains static information, and  
~~collecting said cards, wherein said cards are collected such that~~  
~~adjacent cards are offset from one another.~~  
stacking said cards, wherein the static information on each stacked card is offset  
from the same static information on the next card in the stack.
2. (Original) The method according to claim 1, further comprising the step of processing said cards to add additional information to said cards.
3. (Original) The method according to claim 2, wherein said processing step comprises feeding said cards into a hopper.

4. (Original) The method according to claim 2, wherein said processing step comprises printing additional information on said cards.

5. (Original) The method according to claim 4, wherein said processing step further comprises printing individualized information on said cards.

6. (Original) The method according to claim 3, wherein said processing step further comprises printing additional information on said cards.

7. (Original) The method according to claim 6, wherein said processing step further comprises printing individualized information on said cards.

8. (Currently Amended) The method according to claim 2, wherein said processing step further comprises embossing additional information on said cards.

9. (Original) The method according to claim 8, wherein said processing step further comprises embossing individualized information on said cards.

10. (Currently Amended) The method according to claim 3, wherein said processing step further comprises embossing additional information on said cards.

11. (Original) The method according to claim 10, wherein said processing step further comprises embossing individualized information on said cards.

12. (Original) The method according to claim 1, further comprising the step of applying foil to said sheet.

13. (Original) The method according to claim 1, further comprising adding a magnetized strip to said cards.

14. (Original) The method of claim 1, further comprising the step of applying foil to said cards.

15. (Original) The method according to claim 1, further comprising the step of attaching said cards to a carrier.

16. (Original) The method of claim 15, wherein said attaching step comprises gluing said cards to a carrier.

17.-26. (Canceled)

**SAM CHUAN YAO**  
**PRIMARY EXAMINER**